

7219 MRS/JMK/TSL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

ARTERO HOLLINGSWORTH,)
)
)
Plaintiff,)
)
)
vs.) No. 15 CV 1595
)
THE ILLINOIS DEPARTMENT OF) Judge Sara L. Ellis
CORRECTIONS, LOGAN CORRECTIONAL)
CENTER, SHERIDAN CORRECTIONAL)
CENTER, WEXFORD MEDICAL)
CORPORATION, NIKKI DUFFIELD, M.D.,)
GAIL, R.N., JOE, DR. CARDINE, CATALINO)
BAUTISTA, M.D., FREDERICK CRAIG, M.D.,)
SALEH OBAISI, M.D., and JEREMY YOUNG,)
M.D.,)
)
Defendants.)

SUGGESTION OF DEATH OF SALEH OBAISI, M.D., UPON THE RECORD
PURSUANT TO FED. R. CIV. P. 25(A)(1)

NOW COMES the Defendants, WEXFORD HEALTH SOURCES, INC., GAIL MAIONCHI and CATALINO BAUTISTA, M.D., by and through their attorneys, Peter J. Strauss, of CUNNINGHAM, MEYER & VEDRINE, P.C., and pursuant to Fed. R. Civ. P. 25(a), suggests upon the record the following:

1. Pursuant to Fed. R. Civ. P. 25(a), upon learning of the death of a party, notice shall be made upon the Record of the death.
2. Defendant, SALEH OBAISI, M.D., is deceased.
3. Ghaliyah Obaisi (the "Independent Executor") has been appointed the Independent Executor of the Estate of Saleh Obaisi, Deceased. A copy of the Letter of Office of Decedent's Estate confirming the appointment of the Independent Executor is attached hereto as ***Exhibit A***.

4. Federal Rule of Civil Procedure 25(a)(3) requires that a statement noting death and "A motion to substitute, together with a notice of hearing, must be served...on nonparties as provided in Rule 4."

5. In order to expedite the substitution of party, and minimize the burden to Dr. Obaisi's family, in lieu of personally serving this Suggestion of Death, Motion for Substitution of Party, and any correlating Notice of Motion, related to Dr. Obaisi, as described under Fed. R. Civ. P. 4, the Plaintiff may personally serve all Suggestions of Death and/or Notices and Motions for Substitution related to Dr. Obaisi, via email at the following address: obaisiestate@gmail.com, with a copy of the email and any attachments thereto, sent to the attorneys of record from Cunningham, Meyer & Vedrine P.C., via their listed email address on the CM/ECF system.

6. The Independent Executor will not contest timely service of the Suggestion of Death, Motion for Substitution of Party, and Notice of Motion related to Dr. Obaisi, if timely service is perfected in the manner described in paragraph 5 of this Suggestion of Death. *See Declaration of Ghalia Obaisi, ¶ 3, attached as **Exhibit B**.*

Respectfully submitted,

/s/ Peter J. Strauss
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Counsel For Defendants, Wexford Health Sources, Inc., Gail Maionchi, Catalino Bautista, M.D.

CERTIFICATE OF SERVICE

I hereby certify that on March 8, 2018, I electronically filed the foregoing document with the clerk of the court for the Northern District of Illinois, using the electronic case filing system of the court. The electronic case filing system sent a “Notice of E-Filing” to the attorneys of record in this case.

Additionally, service of this Suggestion of Death was made on the Independent Executor via electronic means at the email address of: obaisiestate@gmail.com, with a copy to Dr. Obaisi's attorneys of record from Cunningham, Meyer & Vedrine P.C., as requested by the Independent Executor in paragraph 5, above, in lieu of personal service of this Suggestion of Death pursuant to Fed. R. Civ. P. 25(a)(3) and Fed. R. Civ. P. 4.

/s/ Peter J. Strauss